

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

VENECIA DRENNON,

Plaintiff,

v.

**RAQWAN WATSON and
JACK TRUCKING, LLC,**

Defendant.

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No.

JURY OF 12 DEMANDED

NOTICE OF REMOVAL

Without submitting to the jurisdiction of this Court and without waiving any available defenses, including, without limitation, lack of jurisdiction, improper venue, statute of limitations, insufficient process, or insufficient service of process, Defendant, Jack Trucking, LLC (“Jack Trucking”), by and through undersigned counsel and pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, hereby files this Notice of Removal of the above-described action to the United States District Court for the Middle District of Tennessee at Nashville, from the Circuit Court for Davidson County, Tennessee where the action is now pending, and state as follows:

1. This cause of action is being removed pursuant to 28 U.S.C. §§ 1441 and 1446. Jack Trucking was served with process by a process server on April 29, 2022. Removal is therefore timely filed within 30 days of service on Jack Trucking.

2. This case is a civil action for damages arising out of injuries allegedly sustained in a collision that occurred in Davidson County, Tennessee. The United States District Court for the Middle District of Tennessee has jurisdiction by reason of the diversity of citizenship of the parties.

3. At the time of the commencement of this action in state court, and since that time, Plaintiff was and is a resident of Davidson County, Tennessee.

4. At the time of the commencement of this action in state court, and since that time, Defendant Raqwan Watson was and is a resident and citizen of Raleigh, North Carolina. His citizenship is therefore diverse from that of Plaintiff.

5. Jack Trucking is a limited liability company organized under the laws of the State of North Carolina. For purposes of diversity jurisdiction, the citizenship of a limited liability company is the citizenship of its members. *See Delay v. Rosenthal Collins Group, Inc.*, 585 F.3d 1003, 1005 (6th Cir. 2009). No member of Jack Trucking is a citizen of the State of Tennessee. Its citizenship is therefore diverse from that of Plaintiff and the diversity requirement of 28 U.S.C. § 1332 is satisfied.

6. Plaintiff seeks \$100,000 in damages. The amount in controversy requirement of 28 U.S.C. § 1332 is satisfied.

7. All properly joined and served defendants join in or consent to this removal.

8. A copy of all pleadings, process, and orders served upon the defendants are filed with this notice and are attached hereto as **Exhibit 1**.

9. Written notice of the filing of this notice will be given as required by 28 U.S.C. § 1446(d).

10. A copy of this notice will be filed with the Clerk of the Circuit Court for Davidson County, Tennessee, as required by 28 U.S.C. § 1446(d).

WHEREFORE, Jack Trucking requests that this action proceed in this Court as an action properly removed to it.

Respectfully submitted,

CARR ALLISON

BY: /s/ Sean W. Martin

SEAN W. MARTIN, BPR #020870

Attorneys for Defendant

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CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2022, I electronically filed a **NOTICE OF REMOVAL** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

Blair Durham

Aaron Woodard

Bart Durham Injury Law

404 James Robertson Parkway, Suite 1712

Nashville, TN 37219

CARR ALLISON

BY: /s/ Sean W. Martin

SEAN W. MARTIN, BPR #020870